

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOHN E. ANDRUS MEMORIAL, INC. (d/b/a :
ANDRUS ON HUDSON,

Plaintiff :

-against-

filed electronically

07-CV-3432 (CLB) (KNF)

STIPULATION AND ORDER

Plaintiffs, :

RICHARD F. DAINES, as Commissioner of the
New York State Department of Health,

Defendant. :

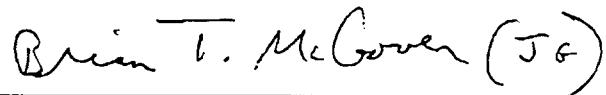
x

IT IS HEREBY STIPULATED AND AGREED by counsel for each of the parties
herein that the last day for defendant to answer with respect to the plaintiff's complaint is June 5,
2007.

This Stipulation may be executed in multiple counterparts and a facsimile copy may be
given the same force and effect as an original.

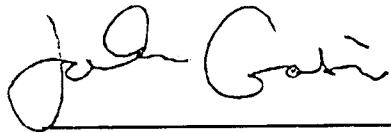
Dated: New York, New York
May 23, 2007

CADWALADER, WICKERSHAM &
TAFT, LLP
Attorneys for Plaintiff



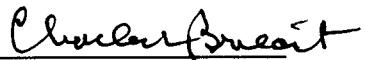
By: Brian T. McGovern, Esq.
One World Financial Center
New York, New York 10281
212-504-6117

ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendant



By: John Gasior, A.A.G.
120 Broadway 24th fl.
New York, NY 10271
212-416-8570

SO ORDERED May 23, 2007



U.S.D.J.



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
Attorney General

Writer's Direct Dial
(212) 416-8570

May 23, 2007

VIA FAX TO 914-390-4085

Hon. Charles L. Brieant
United States District Court
300 Quarropas Street
Courtroom: 218
White Plains, NY 10601-4150
914-390-4077

Re: John E. Andrus Memorial, Inc. v. Daines, S.D.N.Y. 3432 CV 2007 (CLB)(KNF)

Dear Judge Brieant:

This office represents the defendant in the above captioned action. Pursuant to directions received from your chambers, attached is a Stipulation and Order regarding defendant's time to answer the complaint, signed by all counsel, which the parties request the Court to So Order. Please call me at 212-416-8570 if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "John P. Gasior".

John P. Gasior
Assistant Attorney General

cc: Brian T. McGovern, Esq. by fax to 212-504-6666